

January 7, 2008

RRR000736

Jane R. Summerson
M. Lee Bishop
Environmental Impact Statement Office
U.S. Department of Energy
Office of Civilian Radioactive Waste Management
1551 Hillshire Drive
Las Vegas, NV 89134

Re: Comments on draft Repository Supplemental Environmental Impact Statement
and draft Nevada Rail Corridor/Alignment Environmental Impact Statement

Dear Ms. Summerson and Mr. Bishop,

In preparing my response to the U.S. Department of Energy's (DOE) draft Repository Supplemental Environmental Impact Statement (SEIS) and draft Nevada Rail Corridor/Alignment Environmental Impact Statement, I have identified several issues regarding both documents that should be addressed by the DOE in the course of developing both Final Environmental Impact Statements (EIS).

- 1 [Using the Yucca Mountain site to 'dispose' of nuclear waste is a very risky and therefore an unacceptable choice as a nuclear waste repository. Geological fault lines run through and near the Yucca Mountain area. Yucca Mountain is extremely unstable, and should not be used as a site for nuclear storage with the unpredictable weather and geological changes that are expected in that area.]
- 2 [Yucca Mountain has been, and continues to be, a sacred and beloved site for thousands of years to the local Native American tribes. The Timbisha tribe and other Western Shoshone tribes have conducted spring renewal ceremonies on Yucca Mountain for an unknown time, and continue to do so into the present on the western portion they are still able to access. The SEIS also fails to mention the ongoing dispute and litigation involving the United States' violation of the 1863 Treaty of Ruby Valley with the Western Shoshone, which clearly defines territorial borders for their nation of Newe Sogobia as well outside the proposed land withdrawal. This treaty was fully ratified by Congress, and is legally "the supreme law of the land". In April of 2004, the United Nation's Committee to End Racial Discrimination upheld the Shoshone claim in a record decision, and their declaration clearly identifies the Yucca Mountain Repository as one of several ongoing serious human rights violations by the United States against the Western Shoshone Nation.]